

MILMAN LABUDA LAW GROUP PLLC
3000 MARCUS AVENUE
SUITE 3W8
LAKE SUCCESS, NEW YORK 11042

TELEPHONE (516) 328-8899
FACSIMILE (516) 328-0082

Author: Matthew A. Brown - Partner
Direct E-Mail Address: matt@mllaborlaw.com
Direct Dial: (516) 303-1366

January 13, 2022

Via ECF

Hon. Vernon S. Broderick, U.S.D.J.
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

RE: *Yu et al. v. Ollies44 LLC et al.*
SDNY Case No.: 21-cv-10339 (VSB)

By January 19, 2022, Plaintiff shall file a letter stating his views on whether mediation should be stayed.

SO ORDERED: 01/14/22


HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

Dear Judge Broderick:

This firm represents the Defendants in the above-referenced matter. This letter shall serve as Defendants' request that the Court hold the Mediation Referral Order (Dkt. No. 9) in abeyance until the pleading stage has been completed.

Specifically, Defendants' deadline to respond to the Complaint is not due until February 8, 2022. In response to the Complaint, Defendants intend on filing various motions (e.g. (a) Motion to Compel Arbitration and Dismiss based on Plaintiff's execution of an arbitration agreement during his employment, (b) Motion to Dismiss on alternative grounds and/or (c) Motion for Sanctions if Plaintiff does not withdraw the Complaint). Additionally, it is Defendants' understanding that Plaintiff requested that his counsel withdraw this action.

In an effort to avoid motion practice and conserve judicial resources, Defendants are endeavoring to amicably resolve the issues with Plaintiff and his counsel. In the event that Plaintiff withdraws the Complaint and/or Defendants' intended motions are granted, the Mediation Referral Order will be moot.

Thank you for your attention to this matter.

Very truly yours,

/s/ Matthew A. Brown

cc: client (via e-mail)